



AF/12700

PATENT  
Attorney Docket N° 98-0865 (P1397US00)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

In re Application of : Kim C. Smith  
Serial N° : 09/421,580  
Filed : October 20, 1999  
Group Art Unit : 2174  
Examiner : Mylinh T. Tran  
For : SIMULATED THREE-DIMENSIONAL NAVIGATIONAL  
MENU SYSTEM

DEC 05 2003

Technology Center 2100

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF SUPPLEMENTAL APPEAL BRIEF**

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**CERTIFICATE OF MAILING 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on December 1, 2003, in a First Class envelope, with sufficient postage thereon, addressed to: MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ReNea D. Berggren

DATED: December 1, 2003

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Please find enclosed herewith three (3) copies of *Supplemental Appeal Brief*.

Applicant respectfully requests reinstatement of the appeal filed June 17, 2003. This is a Response, by way of *Supplemental Appellant's Brief*, to the *Office Action* dated October 9, 2003 rejecting Claims 1-7, 10-20, 23-33, 36-46, and 49-76. This is an appeal from the *Final Office Action* dated May 6, 2003, finally rejecting claims 1-76.

While it is believed that no fees are due, in the event that the Commissioner determines that any fees are required, the Commissioner is hereby authorized to charge any such fees and to credit any overpayment to Deposit Account N° 50-0439.

Please address all correspondence to:      **CUSTOMER NO. 32709**  
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DATED: December 1, 2003.

Respectfully submitted,  
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By Walter J. Malinowski  
Walter J. Malinowski  
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